

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

HILMA STOVER,  
*On behalf of herself and a class  
of similarly situated persons,*

Plaintiff,

v.

FLUENT HOME, LLC;  
THE BANK OF MISSOURI;  
ATLANTICUS SERVICES CORP.;  
FORTIVA FINANCIAL, LLC,

Defendants.

CIVIL ACTION NO. 5:21-cv-00191

**NOTICE OF APPEAL**

Notice is hereby given that The Bank of Missouri (“TBOM”), Atlanticus Services Corporation (“Atlanticus”), and Fortiva Financial, LLC (“Fortiva”) (collectively, “Lending Defendants”) hereby appeal to the United States Court of Appeals for the Fourth Circuit. The Lending Defendants appeal from this Court’s March 15, 2023 Memorandum Opinion and Order denying the Lending Defendants’ Motion to Compel Arbitration and Dismiss First Amended Class Action Complaint. (ECF No. 81.)

Dated: March 29, 2023

Respectfully submitted,

/s/ Carrie Goodwin Fenwick

Carrie Goodwin Fenwick  
Goodwin & Goodwin, LLP  
300 Summers Street, Suite 1500

Charleston, WV 25301  
304-346-7000  
[cgf@goodwingoodwin.com](mailto:cgf@goodwingoodwin.com)

Bryan A. Fratkin (*admitted pro hac vice*)  
McGuireWoods LLP  
800 E. Canal Street  
Richmond, VA 23219-3916  
804-775-4352  
[bfratkin@mcguirewoods.com](mailto:bfratkin@mcguirewoods.com)

Katherine E. Lehn (*admitted pro hac vice*)  
McGuireWoods LLP  
800 E. Canal Street  
Richmond, VA 23219-3916  
807-775-7887  
[klehnen@mcguirewoods.com](mailto:klehnen@mcguirewoods.com)

Susan E. Groh (*admitted pro hac vice*)  
McGuireWoods LLP  
77 W. Wacker Drive, Suite 4100  
Chicago, IL 60601-1818  
312-849-8184  
[sgroh@mcguirewoods.com](mailto:sgroh@mcguirewoods.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2023, I caused to be filed a copy of the foregoing with the Clerk of the Court using the Electronic Case Filing (ECF) system, which will send a notice to all attorneys who have entered an appearance in this matter.

/s/ Carrie Goodwin Fenwick  
Carrie Goodwin Fenwick